

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION**

UNITED STATES OF AMERICA,)
)
Plaintiff,)
)
) **CASE NO: C-1-00-0157**
vs.)
)
TIM S. ROBERTS,) **JUDGE BECKWITH**
) **MAGISTRATE JUDGE BLACK**
SSN: XXX-XX-6127)
Defendant,)
)
)
and)
)
The Christ Hospital)
)
Garnishee.)

APPLICATION FOR A WRIT OF CONTINUING GARNISHMENT

Now comes the United States of America by its representative the United States Attorney for the Southern District of Ohio and for its cause of action alleges:

1. Plaintiff, United States of America, pursuant to Title 28 U.S.C. §3205 (b)(1), requests the issuance of a Writ of Continuing Garnishment against certain property of the Defendant, Tim S. Roberts, also referred to as "debtor" or "judgment debtor" which is (or may become) in the possession, custody or control of The Christ Hospital, Garnishee herein, for satisfaction of the monies owed by said Defendant, to the United States of America upon the judgment entered against the Defendant in the above-captioned case.

2. This debt arises from the December 29, 2000 judgment entered in favor of the Plaintiff against Defendant in Civil Action No. C-1-00-0157. The amount of said judgment debt that remains unpaid and due and owing is: \$2,863.63 (\$2,846.68 principal and \$16.95 interest) as of June 22, 2004, with additional interest accruing thereafter at the rate of 6.052 percent per

annum. Plaintiff further requests that it be allowed to recover as part of this garnishment, a surcharge of ten percent (10%) of the amount of the currently outstanding debt pursuant to 28 U.S.C. § 3011(a).

3. Defendant's last known address is: 6611 Hearne Rd., Apt. 98, Cincinnati, OH 45248.

4. Not less than 30 days has elapsed since demand for payment of the above stated debt was made upon debtor. The last demand notice for payment was May 14, 2004. Since that time the judgement debtor has failed to pay the amount due.

5. The Garnishee is believed to have possession of property (including but not limited to nonexempt disposable earnings), in which the judgment debtor has a substantial nonexempt interest, and will owe the money or property to the judgment debtor.

6. The name and address of the Garnishee or its authorized agent is:

The Christ Hospital
2139 Auburn Avenue
Cincinnati, OH 45219

The requirements of Title 28 U.S.C. § 3205 (b) having been satisfied, Plaintiff, United States of America hereby requests the issuance of a Writ of Continuing Garnishment.

Respectfully submitted,

GREGORY G. LOCKHART
United States Attorney

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